

AO91 (Rev. 12/03) Criminal Complaint

AUSA

Sealed**UNITED STATES DISTRICT COURT**Public and unofficial staff access
to this instrument are
prohibited by court order.

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT**

vs.

Jonathan Garcia
United StatesCase Number: B-16- 124-MJ**United States District Court
Southern District of Texas
FILED**

JAN 29 2016

David J. Bradley, Clerk of Court

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about December 29, 2015 in Willacy County, in the Southern District Of Texas defendant(s)

did knowingly, willfully, and in reckless disregard of the fact that three (3) persons were undocumented alien(s), did knowingly conspire to transport and move with intent to further their unlawful presence,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(v)(I)(ii)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Investigation and Information furnished by United States Border Patrol Sector Intelligence Unit Agents (SIU) and the defendant (s). On January 8, 2016 SIU Agents conducted an interview with Eliseo Ortega, a person that had been recently arrested by U. S. Border Patrol for transporting undocumented aliens. Ortega advised the agents that he was hired to smuggle undocumented aliens by a person known to him as Jonathan Garcia aka "Big Boy". Ortega stated that Garcia offered to pay him \$200 USD to transport an unknown number of undocumented aliens to a Mc Donald's restaurant located in Raymondville, Texas on December 29, 2015. Ortega also mentioned that he was going to be using Garcias' white Ford Expedition to transport the undocumented aliens.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Flor Ibarra

Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

January 29, 2015

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

B-16-124-MJ

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Jonathan Garcia
United States

Case Number: B-16-

With the information obtained during the investigation, Border Patrol SIU Agents decided to make contact with Jonathan Garcia at his residence on January 11, 2016. Agents advised Garcia of his rights verbally using the Advice of Rights Form (I-214) at approximately 3:33 p.m. Garcia understood his rights and was willing to answer any question without the presence of an attorney. Garcia stated to the agents that he was the registered owner of the white Ford Expedition and that he was one month behind on payments. Garcia stated that on December 27, 2015 he gave consent for Ortega to take his vehicle and do some mechanic work. Garcia continued on and told the agents that immediately after Ortega took his vehicle Ortega asked that he wanted to use the vehicle to bring undocumented aliens, two of which were Ortega's' cousins. Ortega told Garcia that he was willing to pay him \$500 USD to utilize his Ford Expedition. Garcia consented and admitted that Ortega would be using his vehicle to smuggle undocumented aliens and that he would get paid \$500 USD.

SUBSCRIBED and SWORN to before me this 29th day of January, 2016.

Signature of Judicial Officer

Signature of Complainant

Border Patrol Agent